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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,045	06/04/2002	Kun-Huei Chen	IACP0003USA	9777

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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION  
P.O. BOX 506  
MERRIFIELD, VA 22116

EXAMINER
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LEMMA, SAMSON B

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

4

## Office Action Summary

Application No.

10/064,045

Applicant(s)

CHEN ET AL.

Examiner

Samson B. Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## ***DETAILED ACTION***

1. **Claims 1-8** have been examined. This action is responsive to the application filed on June 4, 2002.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1, 3-8** are rejected under 35 U.S.C. 102(e) as being anticipated by **Mizikovsky**. (hereinafter referred as **Mizikovsky**) (U.S. Patent No: 6,839,434)
4. **As per claim 1** **Misikovsky** discloses a method for updating a ciphering key [Abstract, line 1] (A key update system used information in an update message)used in a network system, the network system comprising [Abstract] (**wireless communication system; figure 1, ref. Num "5"**): a server for storing registration data;[column 3, lines 33-37; figure 1, ref. Num "22", figure 2A, ref. Num "22"] (**the home location register "HLR"/server shown on figure 1, ref. Num "22" stores a registration data as explained on column 3, lines 33-37**) an access point [figure 1, ref. Num "18/24" or figure 2a/2b, ref. Num "24"] connected to the server [figure 1,

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ref. Num "16/22" or figure 2a/2b, ref. Num "22"] for transmitting data received from the server via wireless transmission and receiving data transmitted via wireless transmission [figure 2A, column 3, lines 17-38]; and a station [figure 1, ref. Num "14", figure 2a/2b, ref. Num "14"] for transmitting data to the access point via wireless transmission and receiving data transmitted from the access point via wireless transmission[figure 2B], the station storing a first ciphering key [Figure 2b, ref. Num, "SSDA"] the method comprising:

The access point transmitting a first challenge text to the station via wireless transmission[Figure 2b, ref. "Rand"]; the station using the first ciphering key stored in the station to encrypt the first challenge text into a first response text [Figure 2b, ref. "AUTH= Cave ssda (Rand)"]; the station transmitting the encrypted first response text back to the access point via wireless transmission[figure 2b, ref. "AUTHR"]; the access point comparing the first response text with a first predetermined text [column 4, lines 27-28]; the station transmitting identification data to the access point when the first response text matches the first predetermined text [column 4, lines 30-31; column 5, lines 31-40]; the access point transmitting the identification data of the station to the server [the **RANDBS passes through the access point/visiting authentication center as explained on column 4, lines 65-67 and figure 1**]; and the access point transmitting a second ciphering key to the station for replacing the first ciphering key when the identification data matches the registration data.[column 5, lines 11-26]

5. **As per claim 3, Misikovsky** discloses the method as applied to claim above.

Furthermore **Misikovsky** discloses the method wherein the station uses the second ciphering key to encrypt the data transmitted to the access point and to decrypt the data received from the access point after the first ciphering key is replaced by the second ciphering key. [Column 7, lines 2-4]

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6. **As per claim 4, Misikovsky** discloses the method as applied to claim above.

Furthermore **Misikovsky** discloses the method wherein the station uses the second ciphering key to encrypt the data transmitted to the station after the access point transmits the second ciphering key to the station.[Column 7, lines 2-4]

7. **As per claim 5, Misikovsky** discloses the method as applied to claim above.

Furthermore **Misikovsky** discloses the method wherein the first predetermined text is generated from encrypting the challenge text by the first ciphering key.[figure 2B, ref. Num "24" see "AUTHR= CAVE<sub>SSDA</sub> (RAND)]

8. **As per claim 6, Misikovsky** discloses the method as applied to claim above.

Furthermore **Misikovsky** discloses the method further comprising requesting a response from a user of the station before replacing the first ciphering key by the second ciphering key.  
[Column 5, lines 27-31]

9. **As per claim 7, Misikovsky** discloses the method as applied to claim above.

Furthermore **Misikovsky** discloses the method wherein the network comprises a plurality of stations, and each station comprises the first ciphering key.[figure 2b, ref. 14, see "SSDA"]

10. **As per claim 8, Misikovsky** discloses the method as applied to claim above.

Furthermore **Misikovsky** discloses the method further comprising: the access point transmitting a second challenge text to the station via wireless transmission after the second ciphering key is transmitted to the station [Figure 3, ref. Num "44"]; using the second ciphering key stored in the station to encrypt the second challenge text [figure 3, ref. Num "46", see "SSD\_A] into a second response text [figure 3, ref. Num "46", see "AUTHU"]; transmitting the second response text back to the access point via wireless transmission [figure 3, ref. Num "46", see "AUTHU"]; and the access point comparing the second response text with a second predetermined text.[Column 6, lines 14-16] (**The wireless communication system compares**

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**the values AUTHU calculated by the system and the AUTHU value received from the wireless communications system meets this limitation]**

### ***Allowable Subject Matter***

11. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.(See PTO-Form 892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

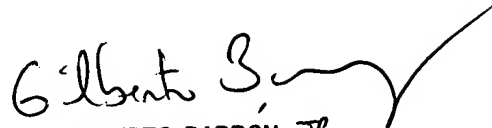
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on

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access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**SAMSON LEMMA**

**SL.**  
**08/11/2005**

  
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